

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

In Re:	§	CASE NO: 12-70264
	§	
Elizabeth Ramirez	§	
	§	
Debtor(s)	§	CHAPTER 13

**MOTION TO RECONSIDER TO REINSTATE AND TO VACATE
ORDER OF DISMISSAL**

IF YOU WANT A HEARING, YOU MUST REQUEST ONE IN WRITING. IF YOU OBJECT, YOU MUST RESPOND SPECIFICALLY TO EACH PARAGRAPH OF THE PLEADING. YOU MUST FILE YOUR RESPONSE WITH THE U.S. BANKRUPTCY COURT WITHIN TWENTY ONE (21) DAYS FROM THE DATE YOU WERE SERVED AND GIVE A COPY TO THE PERSON WHO SENT YU THE NOTICE; OTHERWISE THE COURT MAY TREAT THE PLEADING AS UNOPPOSED AND GRANT THE RELIEF.

IF ANY PARTY REQUESTS EMERGENCY CONSIDERATION, THE COURT MAY ACT EXPEDITIOUSLY ON THE MATTER. IF THE COURT ALLOWS A SHORTER RESPONSE TIME THAN TWENTY ONE DAYS, YOU MUST RESPOND WITHIN THAT TIEM, IF THE COURT SETS AN EMERGENCY HEARING BEFORE THE RESPONSE TIME WILL EXPIRE, ONLY ATTENDANDE AT THE HEARING IS NECESSARY TO PRESERVE YOUR RIGHTS. IF AN EMERGENCY IS NOT SET, YOU MUST REPOND BEFORE THE RESPONSE TIME EXPIRES.

A hearing has been requested for July 26, 2012, at the U.S. Bankruptcy Court, 1701 W. Expressway 83, 9th Floor, McAllen, Texas at 9:00 a.m.

TO THE HONORABLE JUDGE:

COMES NOW, ELIZABETH RAMIREZ, Debtor(s) herein, moves this Honorable court to reconsider its Order of Dismissal and Vacate the said Order of Dismissal, and in support hereof, respectfully state to the Court as follows:

1. On or about April 30, 2012, the Debtor(s) filed a Voluntary Petition in Bankruptcy under Chapter 13;
2. On or about June 18, 2012, this court dismissed this case since debtor(s) failed to comply with the Deficiency Order;
3. Prior to filing this Motion, Debtor(s) has satisfied the Deficiency Order by filing the necessary documents: Form 22A, B or C, as applicable to the chapter (Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income);
4. The creditors in this case will be best served by this case being reinstated;

5. This Motion is being filed prior to the expiration of ten (10) days from the dismissal of this case, and is therefore, timely.

WHEREFORE, Debtors pray this court make and enter an Order:

- A. Allowing a Hearing on its Order of Dismissal;
- B. Vacating the Order of dismissal and reinstating the Case No: 12-70264;
- C. For such other further relief as may be just and equitable in the Premise.

Respectfully submitted,

/s/ Osvaldo J Morales, III

Osvaldo J Morales III

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CERTIFICATE OF SERVICE

On this, the 18th of June 2012, I, Osvaldo J Morales, III, certify that a copy of the foregoing Motion to Reconsider to Reinstate and to Vacate Order of Dismissal was served by and/or electronic notice or USPS First Class Mail, Postage Prepaid on the following:

Attorney for the U.S. Trustee

Barbara C. Jue

606 North Carancahua, Suite 1107,

Corpus Christi, TX 78476

Chapter 13 Trustee

Cindy Boudloche

555 North Carancahua, Suite 600

Corpus Christi, TX 78401

Bayview Loan

4425 Ponce De Leon

Coral Gables FL 33146

Parties Requesting 2002 Notice

John T. Banks,

3301 Northland Drive, Suite 505

Diane W. Sanders

PO Box 17428

Austin, TX 78760-7429

Debtors:

Elizabeth Ramirez

111 E. Diaz Ave.

Pharr, Texas 78577

/s/Osvaldo J Morales III

Osvaldo J Morales III